

CERTIFICATION OF ENROLLMENT

SENATE BILL 5954

Chapter 55, Laws of 1999

56th Legislature
1999 Regular Session

STATE ASSISTANCE RECIPIENTS--PROCEEDS FROM TORT RECOVERY

EFFECTIVE DATE: 7/25/99

Passed by the Senate March 13, 1999
YEAS 45 NAYS 0

BRAD OWEN
President of the Senate

Passed by the House April 7, 1999
YEAS 90 NAYS 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

FRANK CHOPP
**Speaker of the
House of Representatives**

Approved April 20, 1999

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5954** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

FILED

April 20, 1999 - 3:20 p.m.

**Secretary of State
State of Washington**

SENATE BILL 5954

Passed Legislature - 1999 Regular Session

State of Washington

56th Legislature

1999 Regular Session

By Senators Kline, Eide and Thibaudeau; by request of Department of Social and Health Services

Read first time 02/17/1999. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to torts committed against recipients of state
2 assistance; and amending RCW 43.20B.070.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.20B.070 and 1990 c 100 s 8 are each amended to read
5 as follows:

6 (1) An attorney representing a person who, as a result of injuries
7 or illness sustained through the negligence or wrong of another, has
8 received, is receiving, or has applied to receive assistance under
9 chapter 74.09 RCW, or residential care provided by the department at a
10 hospital for the mentally ill or habilitative care center for the
11 developmentally disabled, shall:

12 ~~((1))~~ (a) Notify the department at the time of filing any claim
13 against a third party, commencing an action at law, negotiating a
14 settlement, or accepting a settlement offer from the tort feisor or the
15 tort feisor's insurer, or both; and

16 ~~((2))~~ (b) Give the department thirty days' notice before any
17 judgment, award, or settlement may be satisfied in any action or any
18 claim by the applicant or recipient to recover damages for such
19 injuries or illness.

1 (2) The proceeds from any recovery made pursuant to any action or
2 claim described in RCW 43.20B.060 that is necessary to fully satisfy
3 the department's lien against recovery shall be placed in a trust
4 account or in the registry of the court until the department's lien is
5 satisfied.

Passed the Senate March 13, 1999.

Passed the House April 7, 1999.

Approved by the Governor April 20, 1999.

Filed in Office of Secretary of State April 20, 1999.